

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ALCIDES ARIAS-BENITEZ,	§	
	§	
Plaintiff,	§	
	§	
VS.	§	CIVIL ACTION NO. H-06-CV-0302
	§	
DEP'T OF HOMELAND SECURITY,	§	
	§	
Defendant.	§	

TRANSFER ORDER

This case, initially filed as a petition for habeas corpus pursuant to 28 U.S.C. § 1441, is hereby transferred to the United States Court of Appeals for the Fifth Circuit as a petition for review pursuant to the REAL ID Act. In accordance with that court's Administrative Order of July 8, 2005, this court notes the following:

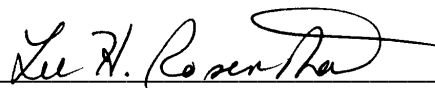
- This transfer is pursuant to the REAL ID Act
- There is a final order from the BIA, dated January 20, 2006, and included as Exhibit D in Arias-Benitez's Complaint
- The immigration judge concluded the proceedings in Houston, Texas
- Accordingly, the case should be transferred to the United States Court of Appeals for the Fifth Circuit
- The petitioner's alien number is 42-474-478

This court further notes that the petitioner filed a petition for review in the Fifth

Circuit on January 27, 2006.

This case is transferred to the United States Court of Appeals for the Fifth Circuit.

SIGNED on January 31, 2006, at Houston, Texas.

A handwritten signature in black ink, reading "Lee H. Rosenthal", is written over a horizontal line.

Lee H. Rosenthal
United States District Judge